

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LARRY ENRIQUEZ, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

NABRIVA THERAPEUTICS PLC, TED
SCHROEDER, GARY SENDER, and
JENNIFER SCHRANZ,

Defendants.

Case No. 1:19-cv-04183-VM

CLASS ACTION

**UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, Lead Plaintiff Jonathan Schaeffer hereby moves this Court for an Order: (i) granting preliminary approval of the proposed Settlement; (ii) certifying the proposed Settlement Class for purposes of effectuating the Settlement; (iii) preliminarily approving the Plan of Allocation; (iv) approving the proposed form and manner of Notice; and (v) scheduling a Final Approval Hearing.

As is more fully set forth in the accompanying Memorandum of Law, the Settlement satisfies each of the legal requirements for preliminary approval and issuance of notice under Rule 23(e) of the Federal Rules of Civil Procedure and the precedent of this Circuit, and the proposed Settlement Class meets all of the requirements for certification under Rules 23(a) and (b)(3) of the Federal Rules of Civil Procedure.

Defendants do not oppose the relief requested in this Motion.

Dated: December 7, 2020

Pomerantz LLP

By: /s/Omar Jafri

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